



North Carolina Department of Public Safety

Central Engineering

Beverly Eaves Perdue, Governor
Reuben F. Young, Secretary

Bennie Aiken, Chief Deputy Secretary
William N. Stovall, Director

Mr. Danny Smith, Supervisor
Surface Water Protection
NCDENR / Division of Water Quality
Raleigh Regional Office
1628 MSC
Raleigh, NC 27699-1628

2 October 2012

In Re: NOV-2012-DV-0173
Central Prison Stormwater Conveyance
Discharge in Rocky Branch
Wake County

Dear Mr. Smith:

This is in response to your letter dated 12 September 2012 sent to the North Carolina Department of Public Safety (DPS) in reference to petroleum traces observed in the stormwater outfall on 5 September 2012.

The DPS is in agreement that in the late afternoon on 5 September 2012 traces of suspected fuel oil type substance in the form of thin oil sheen appeared on the stormwater discharge through the 54-inch diameter outfall at the DPS' Central Prison (CP) facility. As your letter states this has been the third event since February 2012. The DPS fully understands the North Carolina General Statutes and Administrative Codes. The suspected oil product observed in the stormwater discharge was not the result of intentional discharge or negligent conduct. The North Carolina Department of Environment and Natural Resources – Division of Water Quality (DENR/ DWQ) and the Division of Waste Management are aware of the history of the oil leak and remediation actions DPS has implemented since February 2000.

The DPS would like to reiterate that it remains sincerely committed to protecting the water quality of our streams and basins by promptly abating the pollution and implementing all necessary abatement actions and control measures in a timely manner. The DPS has demonstrated its sincere commitment and determination by taking all necessary actions

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Raleigh, NC 27699-4216
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associated with the remediation efforts over a decade and has implemented innovative technologies in capturing any traces of oil that still may have remained in the subsurface soil from the previously reported 1999 fuel oil leak. Thus far, the DPS has spent over \$200,000 towards remediation of this challenging release and continues to work towards permanently abating the problem. This amount does not include over \$12,100 spent after the last event (occurred on 5 September 2012), just in maintaining and disposing of the booms in the Rocky Branch. It also does not include several thousand dollars spent for extensive remediation actions explained later that have been accomplished as of 29 September 2012.

Below is a response to specific items the DWQ has asked the DPS to address:

1. Estimate of the volume of the product discharged:

The volume of the suspected oil product originally released and subsequently discharged through the stormwater outfall could not be measured. Officials from the DWQ, the Wake County Emergency Management, the City of Raleigh Fire Department, the DPS; and the professional crew of EPS of Vermont, Inc. (a remediation contractor) were present at the site and had observed very little amount of oil sheen (similar to previous two (2) events), contained by the booms placed in the stream, immediately downstream of the outfall.

During this last event, it was discussed at the site among all of the officials and professionals mentioned above, that the rainbow oil sheen observed was so thin that it was not visible looking straight down in the stream. In order to see and confirm the presence of suspected oil sheen, individuals present at the site had to see through high resolution screen of a digital camera. The volume of the product discharged being miniscule could only be guessed rather than measured or estimated correctly. Based on the slight sheen observed during each of these events, it is our best guess that less than a few gallons of fuel have been discharged to the stormwater system (and subsequent surface waters) during the three events that occurred since February of this year.

2. How product in discharge was managed:

As you are aware, a free product recovery trench was installed at the site in 2000 to capture the free product, which is periodically removed from the trench. Until recently this has been effective. EPS of Vermont Inc. (EPS), a professional

remediation contractor has been retained by the DPS since the second event to maintain and dispose of the oil absorbing booms in the stream, immediately downstream of the 54-inch diameter stormwater outfall and also further downstream in the Rocky Branch as necessary. During the first event, similar service was performed by Noble Oil Services, Inc (another remediation contractor). During the last event, EPS was promptly asked to rush to the site, immediately after the DPS learned about the traces of oil sheen in the stormwater discharge. EPS placed booms in a timely manner, downstream of the 54-inch diameter stormwater discharge and also at couple of spots further downstream along the stream as secondary and tertiary containment measures to preclude any of the observed sheen from traveling further downstream into the Rocky Branch and any other stream tributary to the State waters.

EPS has been actively maintaining and replacing booms as necessary and any booms that were found to have absorbed oil sheen were disposed off properly by EPS. The DPS has spent over \$12,100 just for this effort after the third event alone.

As communicated with the DENR/ DWQ, following the second event, a sample of the suspected petroleum hydrocarbon in the oil sheen was collected by an independent service provider and submitted for laboratory analysis that came back as negative or 'non-detect' for hydrocarbon or free product.

As the DPS has informed to the DWQ in a previous letter, it has been maintaining the booms permanently and also monitoring the outfall frequently, on daily basis. As you are aware, we have had several rain storms lately some of them were high intensity storms and at times these booms have been washed away by the gushing stormwater in the stream.

3. Corrective actions:

After the most recent event, during investigation and site assessment on 7 September 2012, the DPS and EPS professionals including a professional geologist discovered signs of oil sheen inside a stormwater catch basin located south of the existing maximum security prison building. It appeared that a small amount of suspected oil product had migrated through the subsurface and entered the catch basin by draining along the bedding material around an incoming pipe. It is suspected that over 12+ years of time, free product trapped in the area under and behind the maximum security prison building may have migrated towards this catch basin. The heavy rains

of this Spring/Summer and aggressive free product extractions over several years may have set off mobilization and triggered subsurface movement of the long trapped free product.

An oil absorbing boom was immediately placed inside this stormwater catch basin and has since been maintained by EPS. This precautionary measure was taken to preclude any oil sheen from entering in the storm water collection system within the facility that eventually drains in to the Rocky Branch.

The DPS and Mid-Atlantic Associates, Inc. (Mid-Atlantic), a consulting Engineer hired by the DPS for the free product recovery since last decade came up with the following corrective action plan and all of the tasks associated with this corrective action plan were completed as of Saturday, 29 September 2012:

- (i) Conducted subsurface exploration using a hand auger to evaluate soil conditions along and in the vicinity of the drainage pipe that comes in the stormwater catch basin located south of the maximum security prison building, from the northeast direction. This action was performed to assess the soil conditions in the fill directly adjacent to the pipe. Also it revealed evidence of impacts along approximately 5-feet of the line adjacent to the catch basin. This action was also intended to reveal any pockets of secondary contamination in this area.
- (ii) Removed and replaced existing soil around the subject stormwater catch basin covering an area measuring approximately 12-feet long X 12-feet wide X 12-feet deep. Groundwater was encountered at approximately 12 feet below land surface. The DPS removed excavated soil and properly disposed of the soil offsite.
- (iii) Performed rehabilitation of the existing stormwater catch basin where suspected oil sheen was observed. This included lining all of the walls (both inside and exterior walls) of the catch basin with cement based product containing properties of high compressive strength, superior bond and low shrinkage to produce a hard and durable wall surface.

The subject catch basin walls then were wrapped around and sealed with an integrated bentonite high strength geotextile polyethylene liner. This action should stop seepage or any form of entry of the free product inside the catch

basin and prevent it from traveling further through the stormwater conveyance system. The gravel around the catch basin was tied into the existing recovery trench system and four risers installed adjacent to the catch basin. Any free product still present and migrating through the ground subsurface should be captured by the existing system and can be removed through the new risers and the existing trench recovery system.

- (iv) The DPS will continue recovering free product from the monitoring well(s) through AFVR and/ or MMPE events as necessary.

4. Source of the suspected product:

The existing storm water conveyance system passes through the property and discharges storm water through a 54-inch diameter outfall that originates far northeast of the Central Prison facility, near Hillsborough Street at St. Mary's Street. As a part of a thorough investigation to determine the source of the suspected petroleum product entering into the stormwater sewers, Closed-Circuit Television (CCTV) and other inspections were performed, covering significant portion of the existing storm sewers within the facility. The CCTV inspection revealed that there was no direct evidence of the suspected petroleum product entering the stormwater conveyance system. Also multiple on-site investigations were conducted by several professionals and regulatory agencies. Nonetheless a definitive source or origin of the oil sheen could not be confirmed.

After the most recent event on 5 September 2012, during site investigation, a source of rainbow oil sheen was observed inside the storm water catch basin located south of the existing maximum security building. It appeared that the suspected oil product was entering the storm water catch basin by traveling in the bedding material along one of the incoming pipe in the northeast direction. During exaction around the catch basin, a pocket of contaminated soil was discovered beneath the incoming pipe described here. Despite intensive professional investigations and multiple on-site inspections by various professionals, any other source of the suspected petroleum product remains unknown at present time.

As stated earlier, it is speculated that the rainbow oil sheen observed in the 54-inch diameter stormwater outfall over past three events is a result of the residual free product from the previously reported 1999 fuel oil leak that found a preferential

pathway into the stormwater conveyance system following some of the heavy rain storm events.

5. Permanent elimination of the suspected product discharge:

As the DENR/ DWQ and the Division of Waste Management is aware, Mid-Atlantic, a consulting Engineer for the DPS has been providing services to the DPS over the past several years for capturing any free product remaining in the ground as a result of the fuel oil leak that was observed in June 1999. The DPS installed a free-product recovery trench system at the site in June 2000 that includes nine (9) risers and five (5) recovery wells. The entire recovery system has been monitored by Mid-Atlantic using the wells including periodically sampling the monitoring wells to monitor groundwater quality in the area. Mid-Atlantic has been recovering free product from ground using innovative technologies by conducting periodic Aggressive Fluid Vapor Recovery (AFVR) and Mobile-Multi Phase Extraction (MMPE) events.

In January 2011, following an AFVR event and gauging the monitoring wells, it was determined that none of the monitoring wells had any free-product, except the monitoring well MW-1 that contained approximately 0.37 feet of free product. After over 12-years of monitoring and continuing extraction of free product from the monitoring wells, on January 25, 2012, representatives of the DPS and Mid-Atlantic met with Mr. Scott Johnston and Mr. Mark Powers of the DENR, Division of Waste Management, Underground Storage Tank Section. During this meeting, Mr. Johnston and Mr. Powers indicated that additional assessment was not necessary at the site and recommended to recover < 6-inches of free product remaining only in one monitoring well to move this site toward closure. Once groundwater levels are below their respective 15A NCAC 2L standards and soil contaminant concentrations are below their respective total petroleum hydrocarbon (TPH) action level or soil-to-groundwater maximum soil contaminant concentration, the site can be moved toward closure.

During periodic data collection, as of September 2012, it was determined that all of the existing monitoring wells did not contain any free product except one (MW-1) that measured 1.68 inches of free product.

Mid-Atlantic will continue to monitor the existing recovery trench system for the presence of the free product and if found, it will be extracted conducting periodic AFVR and MMPE events. We

believe that the recent remediation actions combined with on-going free product recovery shall permanently capture any remaining free product in the ground and also hinder its passage into the stormwater conveyance system at the facility and subsequently to the surface waters.

The DPS intends to follow up and continue to communicate with the DENR/ DWQ on this situation. Furthermore, we will share all pertinent information and provide data as it becomes available for the free product recovery efforts. As stated earlier, the DPS remains committed to implementing all necessary abatement actions and control measures in a timely manner. Also our agency is determined to permanently eliminate the suspected petroleum discharge and fully remediate the soil contamination that resulted from the previously reported 1999 fuel oil leak.

If you have any questions, please do not hesitate to give me a call anytime at 919-716-3400 at your convenience.

Respectfully,



Nainesh Patel, P.E.
NCDPS - Central Engineering

Enclosures

pc: Mr. Dave Parnell, DENR/ DWQ, Raleigh Regional Office
Mr. Darin McClure, Mid-Atlantic Associates, Inc.
NMP/WNS/KAA/LHT/KGH/THC/Unit File

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Sent to **MR. Danny Smith, Supervisor**
SURFACE WATER PROT. DENR/DWQ
 Street, Apt. No., or PO Box No. **1628 MSC**
 City, State, ZIP+4 **Raleigh, NC 27699-1628**

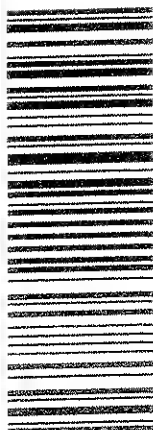
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DWQ, RAL. Regional Office
 Street, Apt. No., or PO Box No. **3800 Barrett Dr.**
 City, State, ZIP+4 **Raleigh, NC 27609**

PS Form 3800, August 2005

See Reverse for Instructions

Patel, Nainesh

From: Patel, Nainesh
Sent: Thursday, October 04, 2012 9:41 AM
To: Smith, Danny; Parnell, David
Cc: Stovall, Bill; Acree, Keith; Lassiter, Kenneth; Carroll, Jerry; Collins, Tom; Tart, Lamar; Aiken, Dale; Smith, Danny; 'Darin McClure'; Hart, Ken
Subject: RE: DPS - Central Prison, Free Product in Stormwater: Response to NOV issued by the DENR,
Attachments: Excavation.jpg; Catch Basin_Geotextile Fabric.jpg; Incoming pipes.jpg; Soil Excavated.jpg

Few pictures are attached for FYI.

Thanks.

Regards,

NP

From: Patel, Nainesh
Sent: Thursday, October 04, 2012 9:30 AM
To: Smith, Danny; Parnell, David
Cc: Stovall, Bill; Acree, Keith; Lassiter, Kenneth; Carroll, Jerry; Collins, Tom; Tart, Lamar; Aiken, Dale; Smith, Danny; 'Darin McClure'; Hart, Ken
Subject: DPS - Central Prison, Free Product in Stormwater: Response to NOV issued by the DENR,

Dear Mr. Smith and Mr. Parnell:

Greetings from the DPS!

Attached please find a soft copy of our response to the NOV issued by the DENR/ DWQ dated 12 September 2012. Hard copies to follow in the mail (original and a copy addressed to both of you was put in the mail room yesterday).

In the meantime, should you have any questions or need additional information, please feel free to contact me.

Mr. Smith, the DPS very much appreciates your visit to the site last Friday to inspect our remediation efforts. Thank you for your time.

Mr. Acree, Mr. Lassiter and Mr. Carroll, if I have missed anyone, please distribute a copy as necessary.

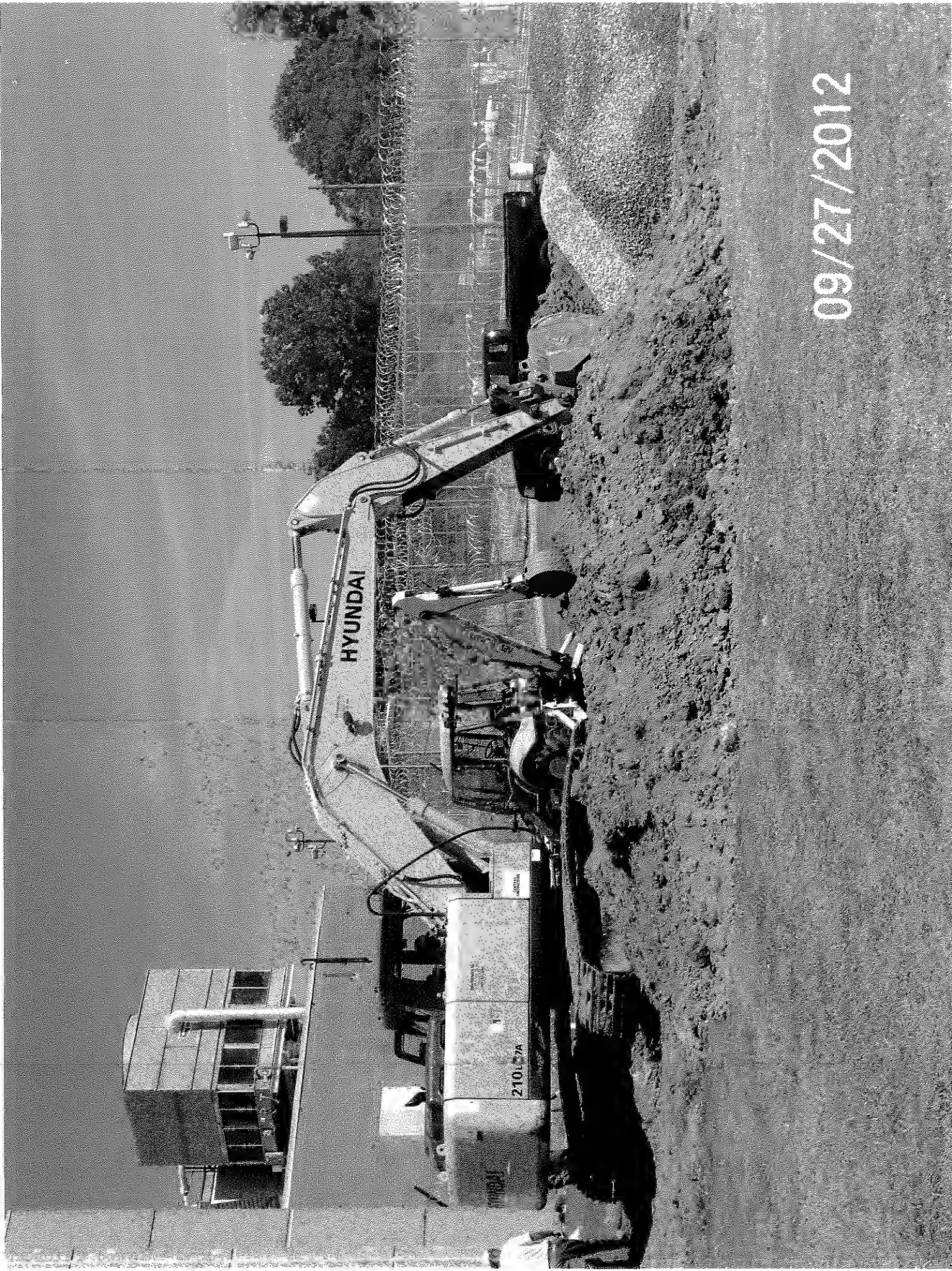
Thanks to the entire DPS team for their assistance. Without your help, it would not have been possible to complete the remediation project in such a short time frame.

Regards,

Nainesh (Nash) Patel, P.E.
Section Manager - Civil / Environmental
NC Department of Public Safety • Central Engineering Division
4216 Mail Service Center, Raleigh, NC 27699-4216
Office: 919-716-3400 • Direct: 919-716-3437 • Fax: 919-716-3978
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10/4/2012



09/27/2012

09/2



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09/27/2012

SUMMARY

TRACES OF FUEL OIL TYPE SUBSTANCE AT CENTRAL PRISON

Traces of suspected fuel oil type substance in the form of very thin layer of oil sheen were observed in the stormwater discharge through a 54-inch diameter outfall at the North Carolina Department of Public Safety (NCDPS) Central Prison (CP) facility over three separate events between February and September 2012. This storm drain discharges to Rocky Branch south of the prison near Western Boulevard.

Background:

In August 1998 a fuel oil leak was detected in the vicinity of an underground fuel oil supply line that was linked to an 8,000 gallon capacity above ground fuel storage tank (AST) on the property, located adjacent to the boiler plant. In June 1999, oil sheen was observed in stormwater discharge from the facility. Following this event NCDPS commenced geological subsurface exploration of the affected area and it was determined that leaking fuel oil plume had migrated under the existing maximum security prison building. NCDPS hired a professional engineering firm to design and install a free-product recovery trench system at the site that was approved by the North Carolina Department of Environment and Natural Resources (DENR). The recovery system contained several groundwater monitoring wells and risers, and was installed south of the maximum security building. The fuel line puncture and resultant release area are located approximately 170 feet north of the affected storm sewer. The remedial or corrective action plan conducted by NCDPS intended to capture and preclude any fuel oil substance from entering into the stormwater conveyance system.

In addition, in the year 1999 NCDPS removed total of four (4) underground storage tanks (UST) that were used to store fuel oil consumed by various on-site equipment at the CP facility. None of these underground storage tanks had any history of leaking fuel oil at any given time prior to their removal off the site. No underground storage tanks are known to remain at Central Prison.

NCDPS has been monitoring the recovery trench system since its completion in June 2000 and have been recovering free product captured in the monitoring wells through the most innovative remediation technologies [such as aggressive fluid vapor recovery (AFVR) & Mobile Multi-Phase Extraction (MMPE)] capable of removing 99% of free product or hydrocarbons from the ground water. After 12 years and continuing extraction of free product from the monitoring wells, on January 25, 2012, representatives of NCDPS and Mid-Atlantic Associates (Consulting Engineer for NCDPS) met with representatives of DENR, Division of Waste Management, Underground Storage Tank Section. During this meeting, DENR representatives indicated that additional assessment was not necessary at the site and recommended recovery of the less than six inches of free product remaining in only one monitoring well as the requisite steps for moving this site toward closure. Once groundwater levels are below their respective 15A NCAC 2L standards and soil contaminant concentrations are below their respective total petroleum hydrocarbon (TPH) action level or soil-to-groundwater maximum soil contaminant concentration, the site can be closed.

During periodic data collection, as of September 2012, it was determined that most of existing monitoring wells have no free product except only one (MW-1) that measured 1.68 inches of free product. In spite of very aggressive petroleum hydrocarbon recovery throughout the contaminated area, it is possible there could be some on-going subsurface movement of petroleum plume now making its way to the 54-inch stormwater outfall facing Western Boulevard through the facility's storm water conveyance system.

Present Concern and Remedial Actions:

As a result of slow migration of the free product as explained above, traces of suspected fuel oil were observed in the form of very thin layer of oil sheen over period of three (3) events between February and September of 2012. During each event, the thin film of oil sheen that appeared for few hours has been contained by placing oil absorbing booms in the creek, downstream of the stormwater outfall that discharges in to the Rocky Branch. As observed by several professionals during such events, the thin oil sheen observed in the stormwater discharge appears to be comparable or no worse than oil sheen observed in runoff from large vehicle parking lots after a rain event.

After each of the first two events this year, NCDPS together with other professional service providers conducted a through on-site investigation of the storm sewer pipe by visual and olfactory evaluations at various accessible locations along the stormwater drain pipe. In addition, a CCTV (Closed Circuit Televised Video Recording) inside the stormwater pipe was conducted to evaluate conditions inside the pipe. The camera evaluation revealed that there was no direct evidence of petroleum entering the stormwater pipe. The source of suspected petroleum release could not be definitively confirmed. Based on the recollections of individuals involved with investigating releases, each time the appearance of oil sheen was reported followed significant rainfall events. The main storm drain that discharges to Rocky Branch originates off the Central Prison property from the North.

It is surmised that petroleum from the historic release may possibly be migrating along disturbed soil/backfill used to bed the stormwater collection pipes during their original construction. Under the correct conditions, which appear to correlate to significant rainfall, the petroleum can infiltrate the stormwater collection system by seepage into catch basins or through leaky pipe joint(s) and thereby quickly discharge to the nearby creek (Rocky Branch).

Following the second event, a sample of the suspected petroleum hydrocarbon in the oil sheen was collected by an independent service provider and submitted for laboratory analysis. These tests came back as negative or "non-detect" for hydrocarbon or free product. NCDPS has placed and has been continuously monitoring oil absorbing booms in the suspected catch basin and also along the 54-inch stormwater discharge outfall.

After the most recent (3rd event on 5 September 2012), site investigation revealed a suspected source of petroleum entering the stormwater drainage system. This source was observed inside a particular catch basin located south of the existing maximum security building.

Abatement, Remediation and Future Plan of Action:

NCDPS remains committed to protecting water quality and complying with regulatory standards. As exhibited by several proactive and prompt actions, NCDPS intends to permanently abate any suspected pollutant discharge into Rocky Branch through the stormwater discharge. NCDPS had allocated and has spent over \$200,000 in on-going remediation tasks to abate this situation and continues to evaluate appropriate means and methods to achieve a permanent solution.

After each event, any sheen collected inside the boom is properly disposed of in a timely manner. The NCDPS Engineers along with consulting professionals working on the recovering system for past twelve (12) years will be implementing several abatement actions, including but not limited to the following:

1. Lining the walls of any catch basins or storm water manholes (upstream and downstream) where trace of oil sheen is observed. This shall also include grouting any openings around the incoming pipes in the manholes.
2. Perform subsurface exploration using geoprobes to evaluate soil condition along and in the vicinity of the drainage pipe that comes in the catch basin located south of the maximum security prison building from the northeast direction. This will allow assessment of soil conditions in the fill directly adjacent to the pipe.
3. Monitor the recovery trench, recovery wells and risers to make sure conditions there remain consistent with past observations. Continue recovering free product from monitoring well MW-1 if any is present.
4. Collect soil data at the release area and in a few spots around MW-1 to ensure there are no pockets of secondary contamination existing in these areas.

Submitted by: William N. Stovall, PE
Director of Engineering
NC Department of Public Safety
4216 MSC
Raleigh, NC 27699-4216

Date: September 20, 2102

Patel, Nainesh

From: Patel, Nainesh
Sent: Thursday, October 04, 2012 9:30 AM
To: Smith, Danny; Parnell, David
Cc: Stovall, Bill; Acree, Keith; Lassiter, Kenneth; Carroll, Jerry; Collins, Tom; Tart, Lamar; Aiken, Dale; Smith, Danny; 'Darin McClure'; Hart, Ken
Subject: DPS - Central Prison, Free Product in Stormwater: Response to NOV issued by the DENR,
Attachments: CP_NOV_12Sept2012_Response.pdf

Dear Mr. Smith and Mr. Parnell:

Greetings from the DPS!

Attached please find a soft copy of our response to the NOV issued by the DENR/ DWQ dated 12 September 2012. Hard copies to follow in the mail (original and a copy addressed to both of you was put in the mail room yesterday).

In the meantime, should you have any questions or need additional information, please feel free to contact me.

Mr. Smith, the DPS very much appreciates your visit to the site last Friday to inspect our remediation efforts. Thank you for your time.

Mr. Acree, Mr. Lassiter and Mr. Carroll, if I have missed anyone, please distribute a copy as necessary.

Thanks to the entire DPS team for their assistance. Without your help, it would not have been possible to complete the remediation project in such a short time frame.

Regards,

Nainesh (Nash) Patel, P.E.
Section Manager - Civil / Environmental
NC Department of Public Safety • Central Engineering Division
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Office: 919-716-3400 • Direct: 919-716-3437 • Fax: 919-716-3978
E-mail: nainesh.patel@ncdps.gov

10/4/2012

Acree, Keith

From: Stovall, Bill
Sent: Monday, October 15, 2012 5:01 PM
To: Acree, Keith; Lassiter, Kenneth; Patel, Nainesh; Collins, Tom
Subject: FW: FW: Central Prison - Stormwater Contamination

FYI

From: Sen. Josh Stein [Josh.Stein@ncleg.net]
Sent: Monday, October 15, 2012 3:55 PM
To: Stovall, Bill
Cc: Candace Finley (Sen. Stein)
Subject: FW: FW: Central Prison - Stormwater Contamination

Bill,

FYI. Thanks for your efforts in resolving this situation.

Sincerely,

Josh Stein

From: Joseph Huberman [joseph.huberman@gmail.com]
Sent: Monday, October 15, 2012 11:44 AM
To: Margie Penven (Rep. Ross); bill.stovall@ncdps.gov
Cc: Senior, Mark; Ruth Bromer; Karen Polk; Lynn Senior; Leslie Kellenberger; jimkellenberger@kbeeng.com; Steve Bryan; Sandro Gisler; Rep. Rosa Gill; Sen. Josh Stein
Subject: Re: FW: Central Prison - Stormwater Contamination

I concur with Bill Stovall's assessment that their current program is working to keep the oil from contaminating Rocky Branch.

I have been to the creek daily, and have not noticed any petroleum smell or sheen on the water, even after the rains.

Thanks so much to everyone who is working to keep Rocky Branch clean.

Joseph

Joseph Huberman
904 Dorothea Drive
Raleigh, NC 27603

m. (919) 610-1788[X]
h. (919) 828-6068[X]

On Mon, Oct 15, 2012 at 8:35 AM, Margie Penven (Rep. Ross)
<Rossla@ncleg.net<mailto:Rossla@ncleg.net>> wrote:

From: Sen. Josh Stein
Sent: Thursday, October 11, 2012 3:15 PM
To: Rep. Deborah K. Ross
Cc: Candace Finley (Sen. Stein)
Subject: FW: Central Prison - Stormwater Contamination

Deborah,

FYI

From: Stovall, Bill [Bill.Stovall@ncdps.gov<mailto:Bill.Stovall@ncdps.gov>]
Sent: Thursday, October 11, 2012 10:46 AM
To: Rep. Deborah K. Ross; Sen. Josh Stein
Cc: Patel, Nainesh; Acree, Keith; Lassiter, Kenneth; Candace Finley (Sen. Stein)
Subject: RE: Central Prison - Stormwater Contamination Dear Representative Ross and Senator Stein:

As follow up to the information I shared with you on September 20, 2012 regarding the contaminated stormwater discovered in Rocky Branch near Central Prison, I have enclosed the Department of Public Safety's formal response to the Notice of Violation (NOV) issued by the Department of Environment and Natural Resources, as well as some photos of the corrective action work described therein. The Department has endeavored to keep State environmental officials fully informed of our investigative activities and findings, and has maintained an open door policy encouraging these officials to witness our investigative and corrective measures firsthand.

The corrective action work now performed is consistent with the plan of action discussed in my earlier 9/20 correspondence. The stormwater catch basin suspected as the subsurface entry point for petroleum contaminant has been rehabilitated with its walls lined and all pipe penetrations sealed. A subsurface gravel collection structure has been installed around this catch basin itself and tied back into the free product recovery trench system that was originally installed in year 2000. These actions should effectively preclude a preferential path for any residual petroleum remaining in the soil from entering the stormwater collection system and further, should allow for recovery of any free product should it subsequently appear in the trench's evacuation wells.

Containment and remediation measures implemented after discovery of the original fuel leak in the late 1990's have proven effective for well over a decade now. The three intermittent events occurring over the past several months where a sheen appeared in Rock Branch have proven particularly vexing to trace back to a source. At this time, the Department is cautiously optimistic that the source entry point for petroleum product into the stormwater collection system has been identified, and that measures taken will resolve this problem. The site has experienced heavy rainfall since completion of these corrective measures and thus far, no new sheen has been observed in the stormwater discharge to Rocky Branch.

Should you have any questions, please let me know.

William N. Stovall, PE
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www.ncdps.gov<http://www.ncdps.gov/>
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From: Candace Finley (Sen. Stein)
[mailto:Steinla@ncleg.net]<mailto:[mailto:Steinla@ncleg.net]>
Sent: Wednesday, October 10, 2012 11:33 AM
To: Stovall, Bill
Subject: RE: Central Prison - Stormwater Contamination

Senator Stein appreciates your including him on the report. He will appreciate being kept informed of any updates on finding a permanent resolution.

Sincerely,

Candy Finley
Legislative Assistant
919 715-6400<tel:919%20715-6400>[X]

From: Stovall, Bill
[mailto:Bill.Stovall@ncdps.gov]<mailto:[mailto:Bill.Stovall@ncdps.gov]>
Sent: Thursday, September 20, 2012 5:02 PM
To: Rep. Deborah K. Ross
Cc: Sen. Josh Stein; Acree, Keith; Lassiter, Kenneth
Subject: Central Prison - Stormwater Contamination

Dear Representative Ross:

It was a pleasure speaking with you by phone on Wednesday, 9/19 regarding recent events impacting the quality of stormwater discharge from Central Prison into Rocky Branch.

I have prepared a summary of facts and history pertaining to this matter in the attached document. Per your request, I have included Senator Stein on the distribution.

It is suspected that three recent events in question whereby stormwater discharge from the prison property contained pollutants is likely associated with an underground fuel line leak that was discovered in the late 1990's. This situation has been under active and effective remediation since that time. The source or path for the recent intermittent appearance of pollutants in the stormwater discharge at this later time has proven elusive to identify. We now believe that we have located a likely entry point of the pollutant into the stormwater collection system and are aggressively working to abate this situation.

The NC Department of Public Safety continues to work diligently in concert with State environmental officials to achieve permanent resolution of any water quality concerns that may be emanating from our Central Prison facility.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

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